

To: HPTRT Team Members
From: David Gouveia and Amanda Johnson, NMFS
Date: January 28, 2008
Re: Gulf of Maine proposal submitted by the states of ME, NH, and MA

Attached is a proposal NMFS received from the States of Maine, New Hampshire and Massachusetts regarding the Gulf of Maine discussion that took place during the December 2007 HPTRT meeting.

We have been asked by the three states to forward this on to the Team, so that all members may have an opportunity to review this proposal prior to the January 31, 2008, follow-on teleconference. This proposal is not meant to supersede other options under discussion. Rather it is intended to present another alternative for the Team's consideration.

We look forward to our discussions later this week.

Proposal from the States of Maine, Massachusetts and New Hampshire for Action in the Gulf of Maine Pursuant to Discussions from the December 2007 HPTRT Meeting

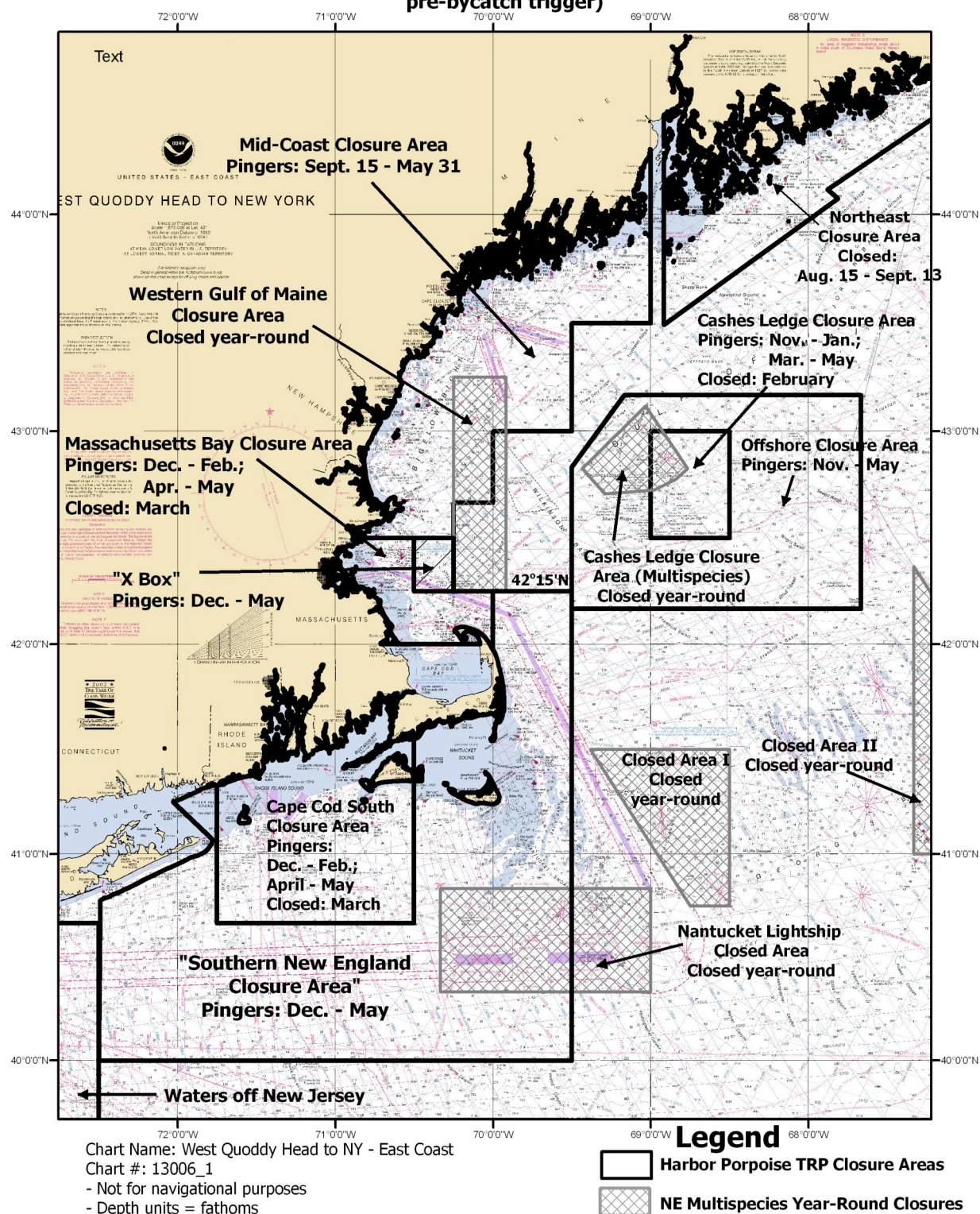
During the December 2007 Harbor Porpoise Take Reduction Team (HPTRT) meeting, despite productive conversation and discussions, consensus was not reached on a full suite of measures within the entire Gulf of Maine, specifically in the Mid-Coast Closure Area. Based on discussions with constituents within the states of Maine and Massachusetts, below is a proposal submitted by the Maine Department of Marine Resources, the Massachusetts Division of Marine Fisheries, and the New Hampshire Fish and Game Department for measures for the HPTRT to consider for the Gulf of Maine.

Note that certain elements of the proposal deviate from items in which agreement was reached at the December 2007 meeting. These elements include 2, 4, 5, and 6 below.

Gulf of Maine Proposal

1. Codify HPTRP requirements into state regulations
 - a. Reasoning: HPTRP enforcement will be enhanced.
2. Expand Southern New England Closure Area by extending the northernmost boundary (at 42° 00'N) further north to 42° 15'N (coincides with groundfish Western Gulf of Maine closure southern boundary) (*Figure 1*)
 - a. Reasoning: Prevent the northward displacement of fishing effort by Outer Cape Cod fishermen if the area is left unpinged.
3. Expand size of Massachusetts Bay Closure Area by incorporating small area between Massachusetts Bay Closure Area and groundfish Western Gulf of Maine Closure Area
 - a. Move boundary along latitude line 42° 12'N up to latitude line 42° 15'N (*Figure 1*)
4. Do not require pinger usage in November in Massachusetts Bay Closure Area as groundfish Rolling Closure Area V is in place during October and November here. Require pinger usage in November in Massachusetts Bay if groundfish closure is amended by a future Council action.
5. Keep Offshore Closure Area in place (*Figure 1*)
6. X-Box – use pingers from December through May (no closures)
 - a. Reasoning: See if pinger use would reduce takes and if not, this area would be folded into consequence area if takes exceed bycatch rate (see below).
7. Consequence Area Strategy (similar to area south of Cape Cod) in Mid-Coast area
 - a. Allow continued pinger use in Mid-Coast Closure Area
 - b. After three years, create a consequence area that would be triggered by exceeding a specified bycatch rate
 - c. Consequence area would be closed during October and November (*Figure 2*) and would include the X Box
 - i. Western boundary: ME, NH, and MA shoreline
 - ii. Eastern boundary: 70° 00'W
 - iii. Southern boundary: 42° 15'N
8. Develop an enforcement and education effort to increase pinger compliance.
9. Conduct annual workshops with fishermen to disseminate recent compliance and take data and provide information on effective gear and fishing practices.
10. Enter into cooperative agreements with the relevant state fishery management agencies to establish a mechanism to annually certify fishermen to improve compliance.
11. Distribute biannual compliance reports to HPTRT members for assessing compliance

**Figure 1: Gulf of Maine Harbor Porpoise Management Areas for Gillnets
(options depicted with associated management measures
pre-bycatch trigger)**



**Figure 2: Gulf of Maine Harbor Porpoise Management Areas for Gillnets
(options depicted with associated management measures
post-bycatch trigger)**

